

## **DETAILED ACTION**

### **Notice to Applicant(s)**

1. This office action is responsive to the amendment filed on 1/11/08. Claims 12-26 are pending.

The prior art submitted on 3/21/08 has been considered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 12-26, are rejected under 35 U.S.C. 102 (e) as being anticipated by Patera et al. (6691034).

As per claim 12, Patera et al. disclose a method for determining an accident risk of a first object with at least one second object, comprising: determining the accident risk as a function of a collision probability (see columns 4-5, lines 17-7; columns 8-9, lines 65-28; and columns 10-11, lines 49-30) and a hazard probability of the at least one second object in a predefined region, and determining the collision probability and the hazard probability as a function of motions of the first and at least one second object (see columns 6-7, lines 46-37).

As per claims 16-17, Patera et al. disclose the motion of the first object is defined by at least one current position and its velocity (see column 5, lines 23-51).

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As per claims 18-21, Patera et al. disclose the motion of the at least one second object is defined by at least one current position (see column 6, lines 16-45).

As per claim 22, Patera et al. disclose the motion of the first object is additionally determined by way of at least one of its first longitudinal acceleration, first transverse acceleration, a first rotation angle and a first steering angle (see columns 12-13, lines 43-24; and columns 22-23, lines 22-9).

As per claim 23, Patera et al. disclose the motion of the at least one second object is additionally determined by way of its velocity relative to the first object, second longitudinal acceleration, a second transverse acceleration and a second rotation angle (see column 12, lines 9-20).

As per claims 24-25, Patera et al. disclose environmental influences and a respective driving behavior are taken into account in determining the respective motion (see column 16, lines 10-14).

As per claim 26, Patera et al. disclose at least one of an indication and at least one signal to an actuator suite are generated as a function of the accident risk (see column 8, lines 24-67; and columns 17-18, lines 59-39).

#### **Remarks**

4. Applicant's argument filed on 6/25/07 has been fully considered. Upon updated search, the new ground of rejection has been set forth as above.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The

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examiner can normally be reached on M-W (in a first week of a bi-week), and T-R (in a second week of bi-week) from 7:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi H. Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dalena Tran/  
Primary Examiner, Art Unit 3664  
April 13, 2008

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